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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 07-70337 PVT
)	
12 Plaintiff,)	STIPULATION TO CONTINUE
)	PRELIMINARY HEARING AND
13 v.)	EXCLUDE TIME; [PROPOSED] ORDER
)	
14 KHAHN DANG VU and)	
)	
15 LAM THANH NGUYEN,)	
)	
16 Defendants.)	

17
18 Defendants and the government, through their respective counsel, hereby stipulate that,
19 subject to the court's approval, the preliminary hearing in the above-captioned matter, presently
20 scheduled for Thursday, July 12, 2007, be continued to Thursday, August 23, 2007, at 9:30 a.m.

21 The continuance is requested because one or both defendants may agree to proceed by
22 Information and waiver of Indictment, but additional time is needed for counsel to review the
23 case before making that determination. Additionally, substitute counsel, Mary Conn, Esq., has
24 recently been retained on behalf of defendant Lam Thanh Nguyen, and requires time to
25 familiarize herself with the case.

26 The parties further agree that time for arraignment or preliminary hearing should be

1 excluded under the Speedy Trial Act because the defense requires time for effective preparation
2 and investigation, and the ends of justice outweigh the defendants' and the public's need for
3 filing charges on an earlier date.

4
5 Dated: 7/9/07

/s/

LARA S. VINNARD
Assistant Federal Public Defender
Attorney for Khanh Vu

6
7 Dated: 7/9/07

/s/

MARY CONN
Attorney for Lam Thanh Nguyen

8
9 Dated: 7/10/07

/s/

JEFFREY B. SCHENK
Assistant United States Attorney

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11
12 **ORDER**

13 The parties have jointly requested a continuance of the preliminary hearing set for July
14 12, 2007, to allow time for one or both defendants to determine whether to proceed by
15 Information or Indictment, and to allow time for new counsel, Mary Conn, Esq., to familiarize
16 herself with the case.

17 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
18 presently set for July 12, 2007, be continued to August 23, 2007, at 9:30 a.m.

19 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
20 from July 12, 2007 to August 23, 2007, shall be excluded from the period of time within which
21 charges must be filed under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

22
23 Dated:

PATRICIA V. TRUMBULL
United States Magistrate Judge